

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
SACRAMENTO, CA 95814

(916)-445-1161



June 26, 1985

CMSP Letter 85-5

To: All County Welfare Directors

CMSP Eligibility Manual Revisions

This letter transmits two (2) copies of revisions to the County Medical Services Program (CMSP) Eligibility Manual. You should immediately reproduce sufficient copies of these revisions to replace pages in existing copies of the CMSP Manual. The most recent prior CMSP Letter containing manual revisions was 85-2 (June 14, 1985).

These revisions include:

1. Section 0605 - Updates maintenance need levels which are effective July 1, 1985.
2. Section 0553.3 - Corrects typographical error in Subsection c) (disregard is \$30, not \$40).

Any questions regarding those instructions or the CMSP Eligibility Manual should be directed to Albert Cooper of the Office of County Health Services at (916) 324-2749.

Sincerely,

A handwritten signature in cursive script that reads 'Linda McFarland'.

Linda McFarland, Acting Chief
County Medical Services Program
Office of County Health Services

Enclosure(s)

OCHS/CMSP:2985:6-85

0553.2. Deduction for Dependent Care.

(a) The amount as determined in accordance with (b) shall be deducted from the remaining earned income of an each person when both of the following conditions exist:

(1) The person has reasonable and necessary costs of obtaining child care for a child in the CFBU or care for an incapacitated person in the CFBU.

(2) The county department determines that adequate dependent care cannot be provided by another member of the CFBU.

(b) The amount deducted in accordance with (a) shall be the actual amount paid as limited by the following:

(1) A maximum of \$160 per child or incapacitated person if the person with earnings meets both of the following conditions:

If employed at least 100 hours in a month

(2) Is self-employed or an employee for at least 13 days in the month

(2) A maximum of \$159 per child or incapacitated person in all other instances.

(c) This deduction shall also apply when the care is provided by a member of the CFBU, other than a spouse or parent, who terminated employment specifically to provide the necessary care.

0553.3. Thirty Dollars Plus One-Third.

(a) Thirty dollars of nonexempt earned income of each person, plus one-third of the remainder, shall be deducted if the person who is earning the income meets both of the following conditions:

(1) Was eligible for and receiving an AFDC cash grant, as specified in (b) From any state in one of the four months immediately prior to the month in which the deduction will be applied.

(2) Did not receive the \$30 plus one-third deduction in an AFDC cash family budget unit for four consecutive months without an

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intervening 12 consecutive month period when he/she was not an AFDC recipient.

(b) A person is considered to have been receiving an AFDC cash grant if that person meets any of the following conditions:

Was receiving an AFDC money payment

(2) Was not receiving an AFDC payment due to the adjustment of an overpayment.

(c) When the beneficiary has received the \$30 plus one-third deduction in any MFBU or AFDC Assistant Unit for four consecutive months as provided in (a) above, he/she shall be eligible for a \$30 disregard for a period of eight consecutive months immediately following the end of the four consecutive months.

(d) If for any reason the beneficiary does not receive the \$30 deduction in a month that month shall nonetheless count as one of the eight consecutive months.

(e) When the additional eight consecutive month period has expired, a beneficiary shall not be entitled to receive either the \$30 plus one-third or the \$30 deduction again until he/she has not received AFDC for twelve consecutive months.

0554 Court Ordered Alimony or Child Support.

(a) Court ordered alimony or child support, or child support paid pursuant to an agreement with a district attorney, shall be deducted from the income of a CMSP beneficiary when it is actually paid by that beneficiary.

The amount deducted shall be the lesser of the amount

Actually paid

(2) Specified in the court order or agreement with a district attorney

Article 9. Maintenance Need

0601. Maintenance Need -- General.

The amount of income a person or family is allowed to retain for living expenses shall be the maintenance need for the members of the CFBU living in the home as determined in accordance with Section 0603.

0603. Maintenance Need -- Persons Living in the Home.

The maintenance need for the members of the CFBU living in the home shall equal the Medi-Cal maintenance need level for a family group of corresponding size.

0605. Maintenance Need Levels

<u>Number of Persons in CFBU</u>	<u>Maintenance Need</u>
1 person in all situations	\$ 509
2 persons	\$ 634
2 adults	\$ 784
3 persons	\$ 784
4 persons	\$ 934
5 persons	\$1,067
6 persons	\$1,200
7 persons	\$1,317
8 persons	\$1,434
9 persons	\$1,542
10 persons	\$1,659

For each additional person add \$11.